

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

BOBBY MORRIS, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

SONIC INDUSTRIES SERVICES, LLC

Defendant.

Case No.

**4:25-CV-00035-JMB**

**JURY TRIAL DEMANDED**

**DECLARATION OF BOBBY MORRIS**

1. My name is Bobby Morris. I am over 18 years old. I can testify competently to the undersigned statements.
2. This Declaration is being made under the penalty of perjury pursuant to 28 U.S.C. § 1746.
3. I make this Declaration in opposition to the Defendant's motion to dismiss for failure to plead an injury in fact.
4. My telephone number 636-XXX-XXXX is on the National Do-Not-Call Registry.
5. I am the user of 636-XXX-XXXX.
6. The 636-XXX-XXXX number is registered in my name and I am the subscriber of record.

7. This number is used for personal, family, and household purposes. I do not use it for business purposes or business use at all.

8. I have never used the number for business purposes or business use.

9. I have never submitted my telephone number to Defendant Sonic to receive text messages, including by texting “STLOUIS” to the short code 876642, including in 2020.

10. As such, I never consented to receive the subject text messages which are the basis for my complaint.

11. I do not want such text messages.

12. I have never proactively created or found TCPA claims nor entrapped businesses. I do not welcome nor invite these illegal text messages and have taken measures for them to stop, including by placing my number on the Do-Not-Call Registry, texting stop when I receive them, and holding those who call me accountable for their actions.

13. My number is on the Do-Not-Call Registry, and I did not provide any consent for anyone to send the subject text messages to me.

14. I brought this case as a class action because I know that there are likely thousands more people in a similar situation such as myself, having received calls from Defendant without their consent, including after they texted “stop”.

15. In addition to texting “stop,” on November 13, 2024, I emailed the attached letter as Exhibit 1 to my Declaration, together with a screenshot of the text messages I received, to, among others, jtaylor@inspirebrands.com, and eddiesaroch@inspirebrands.com. I received no response, and the email tracking service I use indicated successful delivery.

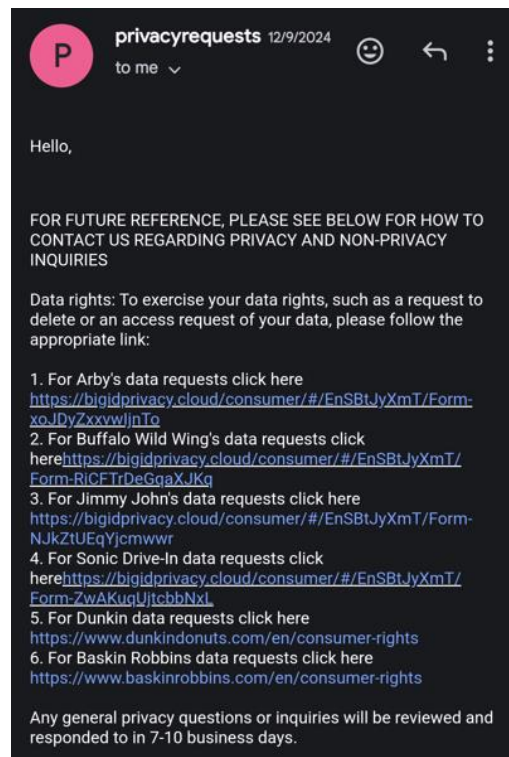
16. It is my understanding that Inspire Brands is Sonic's parent company. The reproduced email addresses are those for Jim Taylor, Sonic's brand president, and Eddie Saroch, Sonic's President and Chief Operating Officer.

17. As the attached letter I sent to these individuals made clear, I insisted that they "give me every assurance that the offending communications that are the subject of this matter be the very last that I receive."

18. I received no response and continued to receive text messages.

19. As a result, on December 6, 2024, I resent the same email and message to hello@inspirebrands.com and privacyrequests@inspirebrands.com.

20. I received the following automatic email from privacyrequests@inspirebrands.com confirming my request and stating that it would be "reviewed and responded to in 7-10 business days.:"



21. However, I continued to receive messages into the New Year.

22. To be clear, I do nothing to precipitate the illegal messages which are placed to me. I do not want these communications, but they continue to be placed to me. They are highly annoying and disruptive and are especially problematic after you ask them to stop but you are not able to get them to stop.

23. I was harmed and injured by the Defendant's calls. In addition to the harm of receiving texts I did not want and explicitly asked multiple times to stop, I was deprived of legitimate use of network resources, bandwidth, power, and storage space and my privacy was improperly invaded. Additionally, my statutory rights as recognized by the TCPA were violated. Illegal calls are frustrating, obnoxious, and annoying. They are a nuisance and disturbed my solitude. Furthermore, I wasted my time in attempting to get the messages to stop without any results.

24. My number is on the Do-Not-Call Registry, and I did not provide any consent for anyone to send the calls at issue to me.

25. I do not and have never welcomed nor wanted illegal calls and do nothing to receive or deserve them. My injury was done completely at the hands of Defendant, who took it upon itself to send me multiple texts in violation of the TCPA, including after I asked them to stop.

**I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.**

**Executed this 16th day of April 2025, in the United States of America,**

*Bobby Morris*  
Bobby Morris (Apr 16, 2025 18:26 CDT)

**Bobby Morris**

11/10/2024

Inspire Brands, Jim Taylor, Sonic  
3 Glenlake parkway  
Atlanta, Georgia, 30328

Attn: Inspire Brands, Jim Taylor, Sonic

Delivered via email

Re: Violations of the Telephone Consumer Protection Act (TCPA)

Dear Mr./Ms. Inspire Brands, Jim Taylor, Sonic ;

I'm contacting you today regarding communications to my phone that are in violation of the TCPA. Each of these unwelcome and unwanted communications were made without my express, prior, written consent, as required by law. The illegal communications came to my phone number, 636 [REDACTED], as follows:

1. 11/07/2024, 10:07am CST, from (illegally spoofed) number, 876642

47 U.S.C. §227(c) makes two or more communications within a 12-month period made to residential telephone lines listed on the National Do Not Call Registry a violation as well. As you can see from the attached confirmation, my number was lawfully entered on the National Do Not Call Registry on July 27, 2018.

The TCPA also provides for a private right of action, with each violation entitling me to a \$500 penalty, which can be increased to \$1,500 per violation, in the event such a violation is deemed to have been willfully or knowingly made. Reasonable court costs for bringing a private right of action against your company are also recoverable in the event of a successful action for those violations.

In the absence of the federally required, express, prior, written consent, or any qualifying, "existing business relationship", you have violated the TCPA as indicated above, thus affording me the right to pursue the statutory penalties described above, as well as the reasonable court costs.

Based on the number of communications detailed above, the statutory penalties to which I would be entitled total (\$1,500.00). However, in the interest of helping you avoid the imposition and expense of civil litigation, I would like to afford you an opportunity to settle this matter for the amount of [REDACTED]. In exchange for that amount, I will forgo any civil action, release your company of all claims associated with the illegal communications named herein, and consider the matter closed.

Inasmuch as I'm confident that the facts of this case would not support any manner of tenable defense for your company, I would urge you to carefully consider accepting this generous, good faith offer to settle. Should you decline it, or fail to respond within 5 days from its time-tracked delivery, please know that I reserve the right to pursue civil action as described herein, in state or federal court, and will seek all available injunctive and monetary relief made available to me under applicable federal statute, up to and including a potential class certification. You should fully expect a lengthy and detailed discovery process to accompany that suit.

Additionally, I would insist that you give me every assurance that the offending communications that are the subject of this matter be the very last that I receive. I would also encourage you to take the necessary steps to ensure compliance with state and federal statutes moving forward, not only as a matter of protection from civil liability, but also as a courtesy to the millions of American consumers who are consistently plagued with these types of unwanted, illegal communications.

I look very forward to your response, within 5 days of your receipt of this notice, as directed above. I would ask that all further communication be in writing, if only as a means by which the content of such communication will be memorialized.

Respectfully,

Bobby Morris

A black rectangular redaction box covering the signature and any handwritten notes or dates that might have been present.